

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSE CARLOS OLIVEIRA-  
COUTINHO,

Petitioner,

vs.

SCOTT FRAKES, NDCS Director;

Respondent.

**8:19CV491**

**ORDER**

This matter is before the court on Petitioner's Motion for Extension of Time. (Filing 21.) Petitioner requests a third 120-day extension of time in which to file a brief in response to Respondent's Answer due to a language barrier and restrictions on his ability to receive assistance from the inmate helping him with his legal work. Having received no objection from Respondent, and upon careful consideration of Petitioner's motion and the reasons in support of an extension set forth therein, the court will grant Petitioner's request for an extension.

Such extension will extend Petitioner's brief due date to one year from the original deadline. The court understands Petitioner faces challenges in receiving assistance with his legal work, but, as Petitioner acknowledges in his motion, "the court's discretion/patience [has] a limit." (Filing 21 at CM/ECF p. 3.) Given that Petitioner appears to be working on the final two claims in his petition (*see id.*), the court will not grant any further extensions absent exceptional circumstances.

IT IS THEREFORE ORDERED that:

1. Petitioner's motion for extension of time is granted. Petitioner shall have until **December 13, 2021**, to file a brief in response to Respondent's Answer and Brief in Support. **No further extensions shall be granted absent exceptional circumstances.**



2. The clerk of the court is directed to set a pro se case management deadline in this case using the following text: **December 13, 2021**: check for Petitioner's brief in response to Respondent's answer and brief.

Dated this 11th day of August, 2021.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge